



**JUDGMENT CREDITOR CADLES OF GRASSY MEADOWS II, L.L.C., AS  
SUCCESSOR-IN-INTEREST TO JUDGMENT CREDITOR RESOLUTION TRUST  
CORPORATION AS RECEIVER OF FIRST SAVINGS OF ARKANSAS, F.A.'S  
APPLICATION FOR CHARGING ORDER**

Applicant **CADLES OF GRASSY MEADOWS II, L.L.C.** (“Cadles”), as successor-in-interest to Judgment Creditor Resolution Trust Corporation as Receiver of First Savings of Arkansas, F.A. in the judgment registered in this Court on November 10, 2010, under Case No. 2:10-ms-00112-NA (subsequently changed to Case No. 2:11-cv-00475), respectfully requests that the Court grant this Application for Charging Order (this “Application”) against the membership interest of Judgment Debtor Dean H. Maddox, individually, in Respondent Thirstbusters Property LLC, pursuant to FEDERAL RULE OF CIVIL PROCEDURE 64, FEDERAL RULE OF CIVIL PROCEDURE 69, and NEVADA REVISED STATUTES SECTION 86.401, and Cadles shows the Court the following:

**JURISDICTION AND PARTIES**

1. This Court has Jurisdiction over this matter because the judgment against Maddox was registered in this Court, giving it the same force and effect as a judgment of this Court. 28 U.S.C. § 1963 (2006).
2. Cadles is a West Virginia limited liability company with its principal place of business in Ohio.
3. Thirstbusters Property LLC (“Thirstbusters Property”) is a Nevada Limited Liability Company with its principal place of business in Nevada, and may be served with process through its registered agent, Incorp Services, Inc., at 2360 Corporate Circle, Suite 400, Henderson, Nevada 89074-7722.
4. Judgment Debtor Dean H. Maddox (“Maddox”) may be served with notice at 615 Peden Street, Houston, Texas 77006, pursuant to Federal Rule of Civil Procedure 4(e)(1).

### **SUPPORTING DOCUMENTS**

5. This Application is supported by the Affidavit of Nick Davies (the “Davies Affidavit”), attached as **Exhibit A** and fully incorporated herein by reference, as well as the other Exhibits attached hereto.

### **OPERATIVE FACTS**

6. Resolution Trust Corporation as Receiver of First Savings of Arkansas, F.A. (“RTC”), recovered a judgment (the “Judgment”) against Defendants Texas Moline, Ltd. and Dean H. Maddox, jointly and severally, in Cause No. H-92-1692, in the United States District Court for the Southern District of Texas, Houston Division, and the Judgment was duly registered in this Court on November 10, 2010.<sup>1</sup> The Judgment awarded RTC the principal sum of \$2,945,218.00, plus pre-judgment interest at eight percent (8%) from April 2, 1991 to the date of judgment, for a per diem accrual of \$645.53 on the \$2,945,218.00 sum, plus reasonable attorneys fees of \$4,000.00, plus additional fees in the event of appeal, plus judgment for all costs of Court, plus post-judgment interest on all sums at the rate of 3.38% per annum from the date of judgment until paid.<sup>2</sup> As of April 25, 2011, the total amount of principal due on the Judgment, with interest compounded annually pursuant to 28 UNITED STATES CODE SECTION 1961(b) (2006), is \$6,211,858.30, plus accrued interest as of that date in the amount of \$91,242.62, for a total of \$6,303,100.92, with interest accruing at 3.38% per annum.<sup>3</sup>

7. In June 1995, RTC assigned the Judgment to JDC Finance Company (“JDC”).<sup>4</sup> JDC assigned the Judgment to Value Recovery Group, Inc. (“VRG”),<sup>5</sup> VRG assigned the

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<sup>1</sup> A certified copy of the registered Judgment is attached as **Exhibit B**, and incorporated by reference.

<sup>2</sup> See **Exhibit B**.

<sup>3</sup> See **Exhibit A** at ¶ 8; the amount owed under the Judgment will change pending payment on a related garnishment matter filed with the Court under this cause number on July 16, 2010, at document number 47.

<sup>4</sup> A true and correct copy of the RTC’s Assignment of Judgment to JDC is attached as **Exhibit A-1**, and incorporated by reference.

<sup>5</sup> True and correct copies of the Assignment and Bill of Sale and Power of Attorney to VRG are attached as **Exhibit A-2** and **Exhibit A-3**, respectively, and incorporated by reference.

Judgment to The Cadle Company (“Cadle”),<sup>6</sup> and Cadle assigned the Judgment to Cadles,<sup>7</sup> the current owner and holder of the Judgment.<sup>8</sup> The Judgment remains in all things final, valid, subsisting and unsatisfied.<sup>9</sup>

8. Thirstbusters Property is a Nevada limited liability company engaged in carrying on business for profit, with its principal place of business in Nevada.<sup>10</sup> Because Maddox and/or his d/b/a, The Maddox Interests, have a membership interest in Thirstbusters Property,<sup>11</sup> there are sums that are or will become due from Thirstbusters Property to Maddox. Thirstbusters Property should pay those sums directly to Cadles in order to pay the unsatisfied amount of the Judgment against Maddox.

9. After a diligent search, Cadles has not discovered assets of Maddox subject to execution sufficient to satisfy the Judgment.<sup>12</sup> Cadles is therefore entitled, pursuant to FEDERAL RULE OF CIVIL PROCEDURE 64 and NEVADA REVISED STATUTES SECTION 86.401, to have Maddox’s interest in Thirstbusters Property charged as set out above.

### **PRAYER**

WHEREFORE, Cadles of Grassy Meadows II, L.L.C. requests that the Court grant this application and enter an order:

1. requiring Maddox to immediately produce copies of all agreements concerning his interest related to Thirstbusters Property, including a report of the amounts now due or that may become due and distributable to Maddox by virtue of his membership interest in Thirstbusters Property and copies of all regulations and articles of organization of Thirstbusters Property;
2. charging the interest of Maddox and/or his d/b/a, The Maddox Interests, in Thirstbusters Property in the manner set forth in this Application, in the amount of

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<sup>6</sup> A true and correct copy of the assignment to Cadle is attached as Exhibit A-4, and incorporated by reference.

<sup>7</sup> A true and correct copy of the assignment to Cadles is attached as Exhibit A-5, and incorporated by reference.

<sup>8</sup> See Exhibit A at ¶ 6.

<sup>9</sup> See *id.* at ¶ 8.

<sup>10</sup> Certified copies of the Articles of Organization and Annual List for Thirstbusters Property are attached as Exhibit C and incorporated by reference.

<sup>11</sup> See Exhibit A-6.

<sup>12</sup> See Exhibit A at ¶ 9.

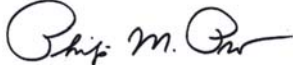
the unsatisfied Judgment attached as **Exhibit B**, together with interest, costs and attorneys' fees as may be allowed;

3. requiring Thirstbusters Property to distribute all membership distributions, profits, cash, assets and other monies due or that shall become due to Maddox and/or his d/b/a, The Maddox Interests, directly to Cadles until the unsatisfied Judgment attached as **Exhibit B**, together with interest, costs and attorneys' fees as may be allowed, have been fully paid;
4. that Thirstbusters Property shall not distribute to any other person or entity any membership distributions, profits, cash, assets, or other monies due or that shall become due to Maddox and/or his d/b/a, The Maddox Interests;
5. charging all costs and attorneys' fees incurred by Cadles in drafting this Application and obtaining said order against Maddox; and
6. granting Cadles all other relief to which Cadles may be justly entitled.

Respectfully submitted,

**ADAMS LAW GROUP, LTD.**

IT IS SO ORDERED.



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PHILIP M. PRO  
U.S. DISTRICT JUDGE

Dated: June 28, 2011.

By: /s/ Assly Sayyar  
Assly Sayyar, attorney-in-charge  
Nevada Bar No. 9178

8681 W. Sahara Ave., Suite 280  
Las Vegas, Nevada 89117  
Tel: 702-838-7200  
Fax: 702-838-3636  
[assly@adamslawnevada.com](mailto:assly@adamslawnevada.com)

**ATTORNEYS FOR PLAINTIFF  
CADLES OF GRASSY MEADOWS II, L.L.C.**

**BELL NUNNALLY & MARTIN LLP**

By: /s/ Jeffrey S. Lowenstein  
Jeffrey S. Lowenstein, associate counsel  
Texas Bar No. 24007574  
Ross A. Williams, associate counsel  
Texas Bar No. 24066296

3232 McKinney Ave., Suite 1400  
Dallas, Texas 75204-2429  
Tel: 214-740-1400  
Fax 214-740-1499  
jeffl@bellnunnally.com  
rossw@bellnunnally.com

**ASSOCIATE COUNSEL FOR PLAINTIFF  
CADLES OF GRASSY MEADOWS II, L.L.C.**

**CERTIFICATE OF INTERESTED PARTIES**

There are no known interested parties other than those participating in this Application.

/s/ Assly Sayyar  
Assly Sayyar

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served on the 1st day of June, 2011, as follows:

**VIA CMRRR #7160 3901 9849 2439 5033**

Timothy J. Henderson  
Attorney at Law  
6300 West Loop South, Suite 280  
Bellaire, Texas 77401

**VIA CMRRR #7160 3901 9849 2439 2193**

Thirstbusters Property LLC  
c/o its registered agent, InCorp Services, Inc.  
2360 Corporate Circle, Suite 400  
Henderson, Nevada 89074-7722

**VIA CMRRR #7160 3901 9849 2439 5057**

Steven D. Grossman  
Sheiness, Scott, Grossman & Cohn LLP  
1001 McKinney, Suite 1400  
Houston, Texas 77002

**VIA CMRRR #7160 3901 9849 2439 5064**

Michael Mushkin  
Mushkin & Associates  
4475 S. Pecos Rd.  
Las Vegas, Nevada 89121

/s/ Ross A. Williams  
Ross A. Williams

**AFFIDAVIT OF NICK DAVIES**

STATE OF OHIO

COUNTY OF TRUMBULL

§  
§  
§

**BEFORE ME**, the undersigned authority, on this day personally appeared the undersigned affiant, who, being by me duly sworn, states on oath that:

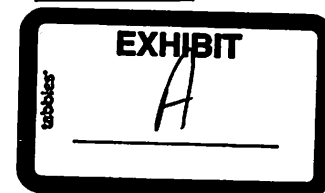
1. “My name is Nick Davies. I am of sound mind and am competent to testify to the matters contained in this Affidavit. I am over the age of 21 years and have never been convicted of a felony or of any crime of moral turpitude. Every statement made in this affidavit is made on my personal knowledge and is true and correct.

2. “I am an Account Officer for Cadles of Grassy Meadows II, L.L.C. (“Cadles”).

3. “On June 1, 1995, Resolution Trust Corporation as Receiver of First Savings of Arkansas, F.A. (“RTC”) assigned all of its right, title and interest in the judgment in Cause No. H-92-1692, *Resolution Trust Corporation as Receiver of First Savings of Arkansas, F.A. v. Texas Moline, Ltd. and Dean H. Maddox, jointly and severally*, entered in the United States District Court for the Southern District of Texas, Houston Division, on November 19, 1993 (the “Judgment”), to JDC Finance Company (“JDC”). A true and correct copy of the RTC’s Assignment of Judgment to JDC Finance Company is attached hereto as **Exhibit A-1**.

4. “On September 8, 1998, JDC assigned all of its right, title and interest in the Judgment to Value Recovery Group, Inc. (“VRG”). True and correct copies of the Assignment and Bill of Sale and Power of Attorney executed by JDC are attached hereto as **Exhibits A-2 and A-3**, respectively.

5. “On July 26, 2001, VRG assigned all of its right, title and interest in the Judgment to The Cadle Company (“Cadle”). A true, correct, and certified copy of the Corrected Assignment of Judgment executed by VRG is attached hereto as **Exhibit A-4**.





6. “On August 4, 2008, Cadle assigned all of its right, title and interest in the Judgment to Cadles. A true, correct, and certified copy of the Assignment of Judgment executed by Cadle is attached hereto as Exhibit A-5. Cadles is the current owner and holder of the Judgment.

7. “The Judgment was awarded against Texas Moline, Ltd. and Dean H. Maddox, jointly and severally, as follows: in the principal sum of \$2,945,218.00; plus pre-judgment interest at eight percent (8%) from April 2, 1991, to the date of judgment for a per diem accrual of \$645.53 on the \$2,945,218.00 sum; plus reasonable attorneys fees of \$4,000.00; plus additional fees in the event of appeal; plus all costs of Court; plus post-judgment interest on all sums at the rate of 3.38% per annum from the date of judgment until paid.

8. “The Judgment is final, valid, subsisting and unsatisfied. As of April 25, 2011, the total amount of principal due on the Judgment, with interest compounded annually pursuant to 28 UNITED STATES CODE SECTION 1961(b) (2006), is \$6,211,858.30 plus accrued interest as of that date in the amount of \$91,242.62, for a total of \$6,303,100.92, with interest accruing at 3.38% per annum. Cadles is the owner and holder of the Judgment.

9. “After a diligent search, Cadles has not discovered assets of Maddox subject to execution sufficient to satisfy the Judgment.

10. “A true and correct copy of excerpts from the Oral Deposition of Dean H. Maddox, which was taken on February 10, 2011, is attached as Exhibit A-6. Those excerpts reflect that The Maddox Interests is a d/b/a of Dean H. Maddox, individually, and that Dean H. Maddox and/or his d/b/a, “The Maddox Interests,” holds an interest in Thirstbusters Property LLC.”



**FURTHER AFFIANT SAYETH NAUGHT.**

Nick Davies  
Nick Davies

**SUBSCRIBED AND SWORN TO BEFORE ME** on this the 5 day of  
May 2011, to certify which hand and official seal.

Amanda Reed  
Notary Public in and for the State of Ohio

771898\_1.DOC/ 8.830



Amanda Reed  
Resident Mahoning County  
Notary Public, State of Ohio  
My Commission Expires: 09/28/2014

**ASSIGNMENT OF JUDGMENT**


STATE OF TEXAS                   §  
  §     KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF DALLAS           §

FOR VALUABLE CONSIDERATIONS, in hand paid, the receipt and adequacy of which are hereby acknowledged, Resolution Trust Corporation, as Receiver for First Savings of Arkansas, F.A. ("Assignor"), hereby sells, transfers, assigns and sets over to JDC Finance Company I, L.P. ("Assignee") all of Assignor's right, title and interest in and to the following Judgment, as described hereinbelow:

That certain Final Judgment signed November 16, 1993, in Civil Action No. H-92-1692 styled, "Resolution Trust Corporation As Receiver of *First Savings of Arkansas*, F.A., Plaintiff, v. Texas Moline, Ltd. and Dean H. Maddox, jointly and severally, Defendants" then pending in the United States District Court for the Southern District of Texas, Houston Division, for the sum of \$2,945,218.00, plus pre-judgment interest as specified therein, attorney's fees and post-judgment interest at the rate of 3.38% per year. A copy of such Judgment is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes;

IN WITNESS WHEREOF, the Assignor has caused this Assignment to be executed at <sup>OK</sup> ~~Dallas~~ <sup>TX</sup> County, ~~Texas~~ this 1 day of June 1995, but effective as of the 17 day of MARCH 1995.

RESOLUTION TRUST CORPORATION, in its capacity as receiver for First Savings of Arkansas, F.A.

By: 

Name: ROY J. LOLLAR JR.  
Attorney-In-Fact



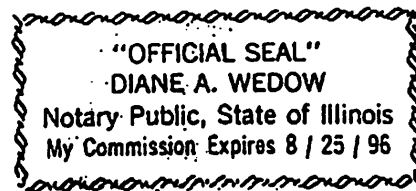
ILLINOIS  
STATE OF ~~MISSOURI~~ §  
COOK §  
COUNTY OF ~~JACKSON~~ §

This instrument was acknowledged before me on the 2nd day of JUNE, 1995, by Ray S. Lowrie Jr as attorney-in-fact of Resolution Trust Corporation, in its capacity as Receiver for First Savings of Arkansas, F.A., for the consideration therein expressed.

SUBSCRIBED AND SWORN TO before me on the 2nd day of JUNE, 1995.

Diane A. Wedow  
Notary Public in and for the State of Texas

SDGITRAM167245.1



## ASSIGNMENT AND BILL OF SALE

Pursuant to that certain Asset Purchase and Sale Agreement, dated as of September 8, 1998, made and entered into by and between JDC FINANCE COMPANY II, L.P. ("JDC"), a Delaware limited partnership, and VALUE RECOVERY GROUP, INC. ("VRG") which provides for the transfer to VRG, all of JDC's rights, title and interest, if any, in and to "the assets listed on Exhibit A attached hereto" (the "Assets") and VRG hereby agrees to accept the Assets from JDC.

JDC executed a Power of Attorney on September 8, 1998, providing VRG with the authority to execute an Assignment and Bill of Sale to transfer the Assets.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS, that JDC, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, and intending to be legally bound, has bargained and sold, and by these presents, does hereby grant, bargain, sell, convey, transfer, assign, and deliver to VRG, its successors and permitted assigns, each of the Assets, "as is", without representation or warranty as to ownership, title, collectability, or any other matter.

TO HAVE AND TO HOLD the Assets unto VRG, its successors and permitted assigns, to and for its and their own proper use and benefit forever.

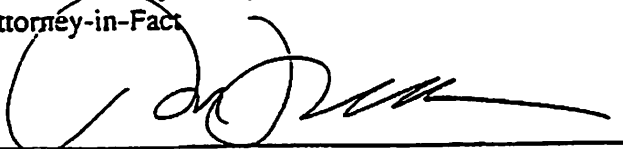
VRG shall have the right to collect or receive any monies due under the Assets, and any part thereof, or to release or discharge said Assets. VRG, by accepting this Assignment and Bill of Sale, does hereby hold JDC harmless from all costs incurred in the collection of the Assets.

This Assignment and Bill of Sale shall be governed by and construed in accordance with the laws of the State of Ohio, without giving effect to principles thereof relating to conflicts of law.

IN WITNESS WHEREOF, the undersigned has duly executed this Assignment and Bill of Sale, or has caused this Assignment and Bill of Sale to be executed on its behalf, as of September 8, 1998.

JDC FINANCE COMPANY II, L.P.

By: Value Recovery Group, Inc.  
Attorney-in-Fact

BY:   
Barry H. Fromm, President

EXHIBIT

A-2

STATE OF OHIO §  
COUNTY OF FRANKLIN § ss.  
§

The undersigned, a Notary Public in and for the above-said County and State, does hereby acknowledge that BARRY H. FROMM, as Attorney in Fact of JDC FINANCE COMPANY II, L.P., personally appeared before me this day, and being by me duly sworn, says that s/he, being informed of the contents, voluntarily executed the foregoing instrument for and on behalf of such entity.

WITNESS my hand and official seal, this 8<sup>th</sup> day of September, 1998.

Merrick L. Tate  
Notary Public for the State of Ohio  
My Commission Expires: 9/8/99

MERRICK L. TATE  
NOTARY PUBLIC, STATE OF OHIO  
My Commission Expires Sept. 8, 1999.

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JCD SYSTEM UNASSIGNED WITH FILES  
 KANSAS CITY OFFICE

FIN NO: 7370

ELRREA	TYPE	FILE	ACCTNO	ASSETNAME	BALANCE	BOXNO
45-699	D	Y	9450004	HADDOX, DEAN H	2,945,218.00	N
45-699	D	Y	9450020	MEARY MICHAEL L	982,500.00	N
45-699	D	Y	9450021	WILSON CHARLES J	982,500.00	N
46-699	J	Y	9460025	BOLDEN, JAMES L	3,592.07	N
46-699	J	Y	9460160	JERIMIAH'S RESTAURANT, INC.	1,155,262.08	N
46-699	J	Y	9460087	NEVLAND, JOHN R	20,436.86	N
					.....	
FIN 7370 TOTAL:					6,089,509.01	

POOL8

**POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, JDC Finance Company II, L.P., a Delaware limited partnership ("Seller"), hereby constitutes and appoints Value Recovery Group, Inc. ("Buyer"), its true and lawful attorney and agent, with power and authority to do the following with respect to those certain judgments, deficiencies, charge-offs and small-balance assets (the "Assets") described in Exhibit "A" attached to that certain Asset Purchase and Sale Agreement, dated as of September 8, 1998, between Seller, as seller, and Buyer, as buyer:

(i) Execute any and all documents and instruments necessary to transfer, convey and deliver to Buyer all the Seller's right, title, interest and possession of the Assets and the Asset Documents, and all of Seller's interest in any property, whether real or personal, securing the Assets;

(ii) Endorse Seller's name on checks, drafts, money orders or other evidence of payment made by any obligors or any other persons on any of the Assets and received by Seller or Buyer after the date hereof;

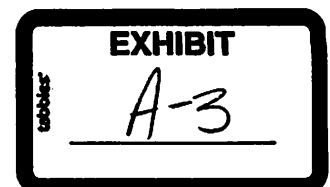
(iii) Endorse and sign Seller's name on assignments, continuation statements and other documents to be filed or recorded as public records with respect to the Assets;

(iv) Enforce, to the extent of its interest in the Assets, the provisions of any insurance policy that names Seller as insured, loss payee or lienholder;

Seller hereby ratifies and confirms all that Buyer as such attorney and agent shall do or cause to be done within the lawful scope hereof; provided, however, that such ratification and confirmation of the power granted to Buyer herein shall not create any obligation or impose any liability on Seller.

By acceptance hereof Buyer agrees to indemnify and hold harmless Seller, its officers, directors, agents, employees and representatives from and against any and all liabilities, claims, expenses, damages or losses, including without limitation reasonable fees of legal counsel, and related disbursements incurred by Seller and arising out of any actions by Buyer in the name of Seller. Upon notice and request by Seller, Buyer agrees to defend Seller or cause Seller to be defended in any legal action, suit, or proceeding arising out of any actions by Buyer in the name of Seller.

This Power of Attorney is coupled with an interest and may not be revoked unless Buyer exceeds the scope of the authority granted hereunder in the name of Seller and is non-transferable and non-assignable by Buyer.





IN WITNESS WHEREOF, the undersigned has executed this Power of Attorney as of the 8th day of September, 1998.

SELLER:

**JDC FINANCE COMPANY II, L.P.,**  
a Delaware limited partnership

By: Prentiss/FMRC Joint Venture II, a Texas  
general partnership, its General Partner

By: Prentiss Properties JDC, Inc., a  
Delaware corporation, its General  
Partner

By: Bruce Nozick  
Name: Bruce Nozick  
Title: Designated Representative

R:\2101\19\SALE\JDC2\POA-JDC2.WPD  
CGC 9/7/98

PPLNO	Name	Relationship	Current Best Value	PPLNO	Name	Relationship	Current Best Value
28368	HART, LLOYD	MIDWEST FEDERAL SAVINGS BANK	43,003.00	28368	HART, W.	MIDWEST FEDERAL SAVINGS BANK	7,587.00
28367	HAWKINS, SARAH	MADISON GUARANTY S&L	2,422.00	28368	HANSEN HOUSE	MINNEAPOLIS CORPORATE	7,054.00
28368	HAYS, WILLIAM J. (C/O PC)	CROSS ROADS S&L ASSN. F.A.	11,348.00	28370	HEATH, W.	MIDWEST FEDERAL SAVINGS BANK	8,632.00
28371	HEATHCOCK, C.	MIDWEST FEDERAL SAVINGS BANK	2,704.00	28372	HENDERSON, BARBARA	COMMUNITY FEDERAL S&L ASSN	3,788.00
28373	HENDRICKSON, V.	MIDWEST FEDERAL SAVINGS BANK	3,551.00	28374	HENDRIX, TROY	MIDWEST FEDERAL SAVINGS BANK	8,140.00
28375	HENSON, JOEY	MIDWEST FEDERAL SAVINGS BANK	3,130.00	28376	HILL, RESEKAM	MIDWEST FEDERAL SAVINGS BANK	540.00
28377	HOOGER, FORREST H.	COMMUNITY SAVINGS AND LOAN	4,543.00	28378	HOLLEY, JOE & JUDY	PEOPLES FED SVCS ASSOC	7,803.00
28378	HORDA, RONALD	MIDWEST FEDERAL SAVINGS BANK	481.00	28380	HORNROCK, PETER	MADISON GUARANTY S&L	30,732.00
28381	HOULE, LINDA	MIDWEST FEDERAL SAVINGS BANK	4,007.00	28382	HOUTZ, W WALLACE	MIDWEST SAV ASSN- MINNEAPOLIS	888,727.00
28383	HOVERSTEN, GARFIELD G	MIDWEST SAV ASSN- MINNEAPOLIS	17,020.00	28384	HUTCHESON, S. L.	PEOPLES HERITAGE SAVINGS	23,410.00
28385	I H INVESTMENTS	SUPERIOR FEDERAL SAVINGS	28,632.00	28386	I H INVESTMENTS	SUPERIOR FEDERAL SAVINGS	17,204.00
28387	IRUEGAS	MIDWEST FEDERAL SAVINGS BANK	1,841.00	28388	JAMES THERESA L	HOME FSA OF KANSAS CITY	11,131.00
28389	JAMES, A CONTRALASS	MINNEAPOLIS CORPORATE	2,948.00	28389	JARRET, ALICIA	COMMUNITY FEDERAL S&L ASSN	8,184.00
28391	JEROME, WALLACE	MIDWEST FEDERAL SAVINGS BANK	1,237.00	28392	JEROMES RESTAURANT, INC.	FIRST SAVINGS OF ARKANSAS	1,193,282.00
28393	JEWELL, LEROY LOUI JR	FUTURE FED SAVINGS BANK	815.00	28394	JOHNSON HAROLD	MINNEAPOLIS CORPORATE	2,587.00
28395	JOHNSON, CAROL	COMMUNITY FEDERAL S&L ASSN	30,282.00	28396	JOHNSON, EDWIN	MIDWEST FEDERAL SAVINGS BANK	670.00
28397	JOHNSON, PATRICK	COMMUNITY FEDERAL S&L ASSN	818.00	28398	JOHNSON, ROBERT O.	MIDWEST FEDERAL SAVINGS BANK	748.00
28398	JONES DEBORAH J	FAR WEST FSB	10,714.00	28400	JONES, JR., RALPH	STATE FED S&L ASSN	28,784.00
28401	JONES, WILLIAM M	BROKEN ARROW S&L	204.00	28402	JORDENSON, J.	MIDWEST FEDERAL SAVINGS BANK	1,842.00
28403	JUBARA, JULIE	MIDWEST FEDERAL SAVINGS BANK	457.00	28404	KARR	MIDWEST FEDERAL SAVINGS BANK	4,084.00
28405	KARRON, ABRAHAM	MIDWEST FEDERAL SAVINGS BANK	1,340.00	28406	KASSER, LOUIS	COMMUNITY SAVINGS AND LOAN	4,173.00
28407	KASTEN, DAVID	COMMUNITY FEDERAL S&L ASSN	8,577.00	28408	KEEFSEAGLE, JOE	MIDWEST FEDERAL SAVINGS BANK	839.00
28408	KELLER, SANDRA	MIDWEST FEDERAL SAVINGS BANK	2,773.00	28410	KING, ERIC	MIDWEST FEDERAL SAVINGS BANK	1,684.00
28411	KERZAN	MIDWEST FEDERAL SAVINGS BANK	28,343.00	28412	KIRK, JOE	MIDWEST FEDERAL SAVINGS BANK	4,808.00
28413	KLAETERMAN, K.	MIDWEST FEDERAL SAVINGS BANK	4,588.00	28414	KLEINBACH, MARY	COMMUNITY FEDERAL S&L ASSN	2,823.00
28415	KUAPP	MINNEAPOLIS CORPORATE	3,605.00	28416	KNOOR, ROBERT	MIDWEST FEDERAL SAVINGS BANK	20,088.00
28417	KAUTSON, JONATHAN	MIDWEST FEDERAL SAVINGS BANK	3,589.00	28418	KOCKELL TODD	CONTINENTAL F&SLA	488.00
28419	KOHLER ERNEST	FIRST FED S & L- TOLEDO, OH	877.00	28420	KOLCEN, WILLIAM	DURAND FEDERAL S & L ASSOC.	531.00
28421	KOLTER THOMAS	MINNEAPOLIS CORPORATE	51,083.00	28422	KOPP, ROSEMARY	MIDWEST FEDERAL SAVINGS BANK	4,471.00
28423	KOPPEL, JOSEPH	AMERICAN FEDERAL SAVINGS	108.00	28424	KRAFT	MIDWEST FEDERAL SAVINGS BANK	2,284.00
28425	KUCHERA, KEVIN	MIDWEST FEDERAL SAVINGS BANK	3,240.00	28426	KUSHINSKI SCOTT PROPERTY DAMAG	MIDWEST SAV ASSN- MINNEAPOLIS	191.00
28427	KVASHENKOFF MARYLS M	FAR WEST FSB	2,354.00	28428	LACY, JEFFREY	MIDWEST FEDERAL SAVINGS BANK	4,311.00
28429	LADONTE MARY SPARKS	CHISHOLM FED SAVINGS & LOAN	10,503.00	28430	LADUCKER	MIDWEST FEDERAL SAVINGS BANK	2,891.00
28431	LAFORENRE, MICHAEL	MIDWEST FEDERAL SAVINGS BANK	9,504.00	28432	LAMORA, KEITH	DURAND FEDERAL S & L ASSOC.	381.00
28433	LANE	MINNEAPOLIS CORPORATE	18,480.00	28434	LASS JAMES A	MINNEAPOLIS CORPORATE	4,243.00
28435	LAWRENCE, JOSHUA	MIDWEST FEDERAL SAVINGS BANK	7,694.00	28436	LEE, CAN CHU	FAR WEST FSB	80,721.00
28437	LEE, RALPH	FIRST FED S & L- TOLEDO, OH	7,052.00	28438	LEFEBVRE, JOSEPH	FIRST OF KANSAS SAVINGS	250.00
28439	LELACHEUR, DONALD	FIRST FS & LA	65,000.00	28440	LENEY, RUSSEL O. & BARBARA L.	OLYMPIC FEDERAL SAVINGS	18,000.00
28441	LUCK MORTON	RED RIVER FEDERAL S&L ASSN	7,300.00	28442	LIEBHARD, STEVEN	MIDWEST FEDERAL SAVINGS BANK	4,400.00
28443	LILJENBERG, FRED, JR.	DURAND FEDERAL S & L ASSOC.	10,000.00	28444	LINDESTROM, JOHN	DURAND FEDERAL S & L ASSOC.	15,000.00
28445	LITTLEBOST, SHEILA	MIDWEST FEDERAL SAVINGS BANK	4,232.00	28446	LOUIE, ROMERO	FIRST FS & LA OF SEMINOLE	300.00
28447	LOWE LOAN	MINNEAPOLIS CORPORATE	301.00	28448	LOWE LOAN POCS	CLUBMART FIRST	301.00
28449	LUEBEL, DOGGY	PLATTE VALLEY SAVINGS	5,800.00	28450	LUTZ, KATH	COMMUNITY FEDERAL S&L ASSN	2,313.00
28451	MADDOX, RONNIE	RED RIVER FEDERAL S&L ASSN	927.00	28452	MADDOX WILLIS METZ	CONTINENTAL F&SLA	12,205.00
28453	MADDOX, DEAN H	FIRST SAVINGS OF ARKANSAS	2,945,218.00	28454	MAES E JOSEPH	CONTINENTAL F&SLA	488.00
28455	MAJARIAN, GARY	MIDWEST FEDERAL SAVINGS BANK	41,008.00	28456	MALCOLM-OLSON, BOBBI	HOME FSA OF KANSAS CITY	3,550.00
28457	MALEY, ROO	FIRST OF KANSAS SAVINGS	4,343.00	28458	MANAGEMENT, INC.	OCCIDENTAL NEBRASKA SAVINGS BANK	200,185.00
28459	MANSUR, DONALD	DURAND FEDERAL S & L ASSOC.	2,105.00	28460	MARNEAU, ROBERT MARIANO	GREAT AMERICAN FEDERAL S&L	15,482.00
28461	MARSTALLER, GARY	BENJAMIN FRANKLIN F&SLA	50,483.00	28462	MARTER	MIDWEST FEDERAL SAVINGS BANK	11,589.00
28463	MARTIN JOHN EDWIN	COMMUNITY FEDERAL S&L ASSN	408.00	28464	MARTIN, MICHAEL	MIDWEST FEDERAL SAVINGS BANK	5,404.00
28465	MARTINICK, RICHARD	MIDWEST FEDERAL SAVINGS BANK	3,841.00	28466	MASON LARRY DEBRA	CONTINENTAL F&SLA	11,385.00
28467	MATHEWS, I MUELLER	MINNEAPOLIS CORPORATE	2,828.00	28468	MAYBERRY, KENTALLS	FAMILY SAVINGS BANK	10,448.00

**CORRECTED  
ASSIGNMENT OF JUDGMENT**

FOR VALUE RECEIVED, the undersigned, Value Recovery Group, Inc., (hereinafter the "Assignor"), hereby transfers, assigns and conveys without recourse unto THE CADLE COMPANY, an Ohio corporation located at 100 North Center Street, Newton Falls, Ohio 44444 (hereinafter the "Assignee"), all its right, title, interest, powers and options in, if any, in the Judgment rendered against Defendant(s) in Civil Action No. H-92-1692, Case No. 00-20192, in the United States District Court, for the Southern District of Texas, Houston Division, wherein Resolution Trust Corporation as Receiver of First Savings of Arkansas, F.A. was the Plaintiff and Texas Moline, Ltd. and Dean H. Maddox were the Defendants. Said Judgment was assigned from Resolution Trust Corporation, an instrumentality of the United States of America to JDC Finance Company II, L.P., a Delaware limited partnership by Assignment and Bill of Sale dated March 17, 1995. Said Judgment was further assigned from JDC Finance Company II, L.P. a Delaware limited partnership to Value Recovery Group, Inc. by Assignment and Bill of Sale dated September 8, 1998. lee

THIS CORRECTED ASSIGNMENT OF JUDGMENT REPLACES AND CORRECTS THE PREVIOUS ASSIGNMENT FILED ON MAY 7, 2002 WITH THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT, HOUSTON DIVISION, TEXAS, REFLECTING THE CORRECT ASSIGNOR BEING VALUE RECOVERY GROUP, INC. AND NOT VALUE RECOVERY GROUP, L.P., A DELAWARE LIMITED PARTNERSHIP.

IN WITNESS WHEREOF, Assignor has executed this Assignment of Judgment as of June 07, 2002, but effective as of July 26, 2001.

Kathleen J. Bryner  
Kathleen J. Bryner, Witness  
Beth Gibbs  
Beth Gibbs, Witness

VALUE RECOVERY GROUP, INC., BY THE CADLE COMPANY, ITS ATTORNEY IN FACT, or  
BY POWER OF ATTORNEY, DATED JULY 26, 2001.

By: William E. Shaulis  
William E. Shaulis  
Its: Executive Vice President

STATE OF OHIO  
COUNTY OF TRUMBULL

Before me, a Notary Public in and for said County and State, personally appeared William E. Shaulis who under penalty of perjury in violation of Section 2921.11 of the Revised Code represented to me to be said person and who signed the foregoing Instrument and acknowledged the same as his voluntary act and deed.

Executed this 7 day of June, 2002.

(Notarial Seal)

Kathryn T. Sabol  
Kathryn T. Sabol, Notary Public

AFTER RECORDING RETURN TO:  
THE CADLE COMPANY  
100 North Center Street  
Newton Falls, OH 44444-1321  
(330) 872-0918  
Dean H. Maddox  
Our File No. WWB70002  
C:\documents\WWB6-New.doc

RECORDERS MEMORANDUM  
AT THE TIME OF RECORDATION, THIS  
INSTRUMENT WAS FOUND TO BE INADEQUATE  
FOR THE BEST PHOTOGRAPHIC REPRODUCTION  
BECAUSE OF ILLEGIBILITY, CARBON OR  
PHOTO COPY, DISCOLORED PAPER, ETC.

KATHRYN T. SABOL, NOTARY PUBLIC  
STATE OF OHIO  
MY COMMISSION EXPIRES MARCH 27, 2003

EXHIBIT

A-4

WWB70002  
3225IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISIONUnited States District Court  
Southern District of Texas  
FILED

AUG 13 2008

Michael N. Milby  
Clerk of CourtRESOLUTION TRUST CORPORATION AS  
RECEIVER OF FIRST SAVINGS OF  
ARKANSAS, F.A.,  
Plaintiff,

vs.


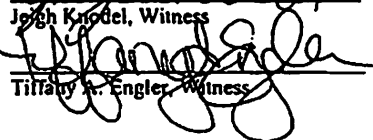
TEXAS MOLINE, LTD. and DEAN H.  
MADDOX, Jointly and Severally,  
Defendants.

C.A. NO. H-92-1692

ASSIGNMENT OF JUDGMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged THE CADLE COMPANY, located at 100 North Center Street, Newton Falls, Ohio 44444 (hereinafter the "Assignor"), hereby transfers, assigns and conveys without recourse and without any representations or warranties, express or implied unto CADLES OF GRASSY MEADOWS II, L.L.C., a West Virginia limited liability company located at 100 North Center Street, Newton Falls, Ohio 44444 (hereinafter the "Assignee"), all of Assignor's right, title and interest, if any, in the Judgment rendered in C.A. NO. H-92-1692, filed on November 19, 1993, in the United States District Court, for the Southern District of Texas, Houston Division, wherein Resolution Trust Corporation as Receiver of First Savings of Arkansas, F.A., was the Plaintiff and Texas Moline, Ltd. and Dean H. Maddox, jointly and severally, were the defendants.

In witness whereof, the undersigned has hereunto set its hand by its duly authorized officer this 4<sup>th</sup> day of August, 2008.

  
Joseph Knodel, Witness  
  
Tiffany M. Engler, Witness

THE CADLE COMPANY

By:   
William E. Shaulis  
Its: Executive Vice President

STATE OF OHIO  
COUNTY OF TRUMBULL

Before me, a Notary Public in and for said County and State, personally appeared William E. Shaulis who under penalty of perjury in violation of Section 2921.11 of the Revised Code represented to me to be said person and who signed the foregoing Instrument and acknowledged the same as his voluntary act and deed.

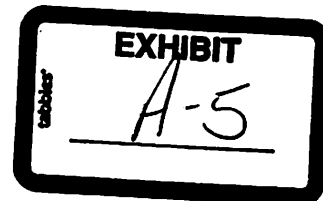
Executed this 4<sup>th</sup> day of August, 2008.


  
Amy A. Shaffer, Notary Public

PREPARED BY AND RETURN TO:  
THE CADLE COMPANY  
100 NORTH CENTER STREET  
NEWTON FALLS, OH 44444-1321  
(330) 872-0918, Attn: Gail London  
Debtor: Dean H. Maddox  
Our File No.: WWB70002  
Notary Public for the State of Ohio



Amy A. Shaffer  
Resident Trumbull County  
Notary Public, State of Ohio  
My Commission Expires: 04/10/2013



TRUE COPY I CERTIFY  
ATTEST:  
MICHAEL N. MILBY, CLERK  
By:   
Deputy Clerk



DEAN H. MADDOX - FEBRUARY 10, 2011

Page 13

1 A No.

2 Q Other than the Bank of America, Wells Fargo,  
3 Compass Bank, or Capital One accounts, are there any other  
4 bank accounts in your name?

5 A No.

6 Q Okay. And, by bank accounts, I mean checking  
7 accounts, savings accounts, or a brokerage account.

8 A No.

9 Q The Maddox Interests, that is an unincorporated  
10 name that you use to conduct business?

11 A Yes. I have for 30 years.

12 Q There's no -- it's not a corporation or limited  
13 partnership or LLC; it's just a trade name that you use?

14 A It's a d/b/a.

15 Q A d/b/a.

16 Other than the accounts that we saw from  
17 Whitney Bank for Maddox Interests, are there any other  
18 bank accounts, savings accounts, or brokerage accounts in  
19 the name Maddox Interests?

20 A No.

21 Q Have there been in the last five years?

22 A No.

23 Q We, being Cadles, garnished your Maddox  
24 Interests account at Whitney Bank, correct?

25 A Yes, I'm aware of that.

DEAN H. MADDOX - FEBRUARY 10, 2011

Page 110

1 Q Page 919 in Exhibit 4, looks like Wagoner  
2 Insurance Agency?

3 A Oh, yeah. This is -- see, TB Property, LLC  
4 down payment?

5 Q Yes.

6 A That's Thirstbusters' property, which is another  
7 LLC, and this is the down payment on the property  
8 insurance, which I advanced to -- I'm advancing money to  
9 Thirstbusters' property here, until we get it from the  
10 investors, to make the down payment on the insurance.

11 Q Okay.

12 A Thirstbusters property -- remember, I told you  
13 Thirstbusters? Now -- so, that's a -- that's a restaurant  
14 and bar and casino in Las Vegas. We -- ten years ago we  
15 bought the business, but not the land and buildings.

16 About three years ago, two years ago, we  
17 bought the land and buildings in a separate LLC, which  
18 then leases it to the other one. And, that's why it says  
19 Thirstbusters Property, LLC. That's the one that owns the  
20 land and buildings up there. And, this is a down payment  
21 on the insurance policy.

22 Q What's your percentage of ownership interest in  
23 Thirstbusters --

24 A It's about the same. It's about the same.  
25 Maybe even a little less there, I don't know.



DEAN H. MADDOX - FEBRUARY 10, 2011

Page 111

1 Q Four percent range?

2 A Yeah. None of them any -- much different than  
3 that.

4 Q Has Thirstbusters property made any  
5 distributions?

6 A No, never.

7 Q What was the purchase price of the real  
8 property?

9 A About four-and-a-half million dollars.

10 Q How much is the note on it?

11 A About three and a half.

12 Q So, the equity came from -- is it the same group  
13 of investors?

14 A Two -- two investors.

15 Q Plus you, that reinvested your finder's fee?

16 A Yeah, that's right. It's not a finder's fee.  
17 Poor choice of word.

18 Q Agency fee? What do you call it?

19 A Investment banking fee.

20 Q Investment banking fee.

21 A There's really quite a lot to it. More than you  
22 can imagine.

23 Q I don't dispute that.

24 Is there a management entity that is a  
25 managing member of Thirstbusters Property, LLC.

DEAN H. MADDOX - FEBRUARY 10, 2011

Page 112

1 A Same answer to all your previous questions, yes.

2 Q Okay.

3 A Same structure, same ownership, same transfer,  
4 everything.

5 Q So, is there a Thirstbusters Property  
6 Management, LLC?

7 A Yes.

8 Q And, just to put more words to what you said,  
9 you previously owned Thirstbusters Property Management,  
10 LLC up until December of last year?

11 A Yes.

12 Q And, that's been transferred to Tuxedo Financial  
13 Services?

14 A That's right.

15 Q Page 1026 of Exhibit 4, payments to Bank of  
16 America for your safe deposit box. We talked about that.  
17 That's the one that -- I'm sorry, Bank of Houston.

18 A There you go.

19 Q So, that was the bank we were talking about that  
20 you couldn't remember earlier that has your safe deposit  
21 box.

22 A There you go.

23 Q Is that yes?

24 A Yeah. No, good.

25 Q The next page is a Bank of America payment. I

DEAN H. MADDOX - FEBRUARY 10, 2011

Page 215

## CHANGES AND SIGNATURE

PAGE	LINE	CHANGE	REASON
6	13	MADDOX MIDDLE NAME IS Hamley, NOT Amy	
10	10	NAME IS MISSPELLED	
16	3	ITS SHOULD BE IT	
✓	✓	FUNCTIONS SHOULD BE FUNCTIONS	
✓	✓	NO3 SHOULD BE A3	
17	23	WERE SHOULD BE WAS	
18	4	MANAGING SHOULD BE INVESTMENT	
32	11	"FOR 4,004,000" SHOULD BE REMOVED	
35	24	ALEXANDER SHOULD BE ALLEN	
40	2	CUP SHOULD BE COUPLE	
60	19	CIEME SHOULD BE CIEME	
71	10, 20, 22	✓ ✓ ✓ ✓	
72	1, 8, 12, 14, 15, 17	✓ ✓ ✓ ✓	
72	20	MANAGING SHOULD BE MADDOX	
73	4, 6, 7, 8, 10, 12, 15, 19, 20, 21, 23	CIEME SHOULD BE CIEME	
74	17	✓ ✓ ✓ ✓	
95	7 & 20	✓ ✓ ✓ ✓	
95	20	INSERT THE WORD "KNOW"	
98	23	FAHIL SHOULD BE FAHLE	
102	21	INSERT A COMMA AFTER RIGHT REMOVE THE WORD AFTER	
106	21	BIAEN SHOULD BE BUCHEN	
107	18 & 20	CIEME SHOULD BE CIEME	
108	1 & 7	✓ ✓ ✓ ✓	

PAGE	LINE	CHANGE
108	5	DROP THE WORD "GOT"
109	20	CARE SHOULD BE CARE
117	19+23	HEAR SHOULD BE HEARD
118	5	✓ ✓ ✓ ✓
122	24	DIVORCED SHOULD BE DIVORCES
137	14	REPLACE INADMISSIBLE WITH PARTNERSHIP
143	21	PARTNERS SHOULD BE PARTNERSHIPS
145	13, 15, 16, 24	CARE SHOULD BE CARE
146	4, 5, 17, 15, 17, 18, 21	✓ ✓ ✓ ✓
147	18	✓ ✓ ✓ ✓
150	13	ALLIANCE SHOULD BE LYONS
154	15	INSERT THE WORD "BE"
✓	16	ACTUALLY SHOULD BE EQUALLY
156	15+17	CARE SHOULD BE CARE
158	6	✓ ✓ ✓ ✓
159	7+9	✓ ✓ ✓ ✓
163	25	REMOVE THE WORD "AND"
172	12	2000 SHOULD BE 2010
175	2	CAR'S SHOULD BE CARS
182	1	REMOVE THE WORD "THE"
183	15	INSTRUCTIONS SHOULD BE ADVANCES
186	3	EXISTS SHOULD BE EXIST
192	9	"RISE" SHOULD BE "RAISED"
202	18+19	CARE SHOULD BE CARE
210	17	✓ ✓ ✓ ✓

DEAN H. MADDOX - FEBRUARY 10, 2011

Page 216

1 I, DEAN H. MADDOX, have read the foregoing  
 2 deposition and hereby affix my signature that same is  
 3 true and correct, except as noted above.  
 4

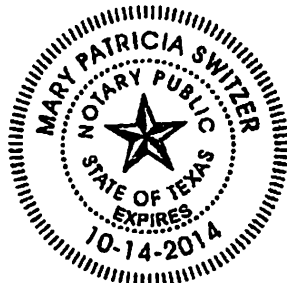
O. H. Madrox

DEAN H. MADDOX

5  
 6 THE STATE OF TEXAS)  
 7 COUNTY OF HARRIS)  
 8

9 Before me, Mary Switzer, on this  
 10 day personally appeared, DEAN H. MADDOX, known to me  
 11 (or proved to me under oath or through  
 12 \_\_\_\_\_) (description of identity  
 13 card or other document) to be the person whose name is  
 14 subscribed to the foregoing instrument and acknowledged  
 15 to me that they executed the same for the purposes and  
 16 consideration therein expressed.

17 Given under my hand and seal of office the  
 18 21st day of March, 2011.  
 19



Mary Patricia Switzer  
 NOTARY PUBLIC IN AND FOR

22 THE STATE OF TEXAS  
 23  
 24  
 25

DEAN H. MADDOX - FEBRUARY 10, 2011

Page 217

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

RESOLUTION TRUST CORPORATION AS  
RECEIVER OF FIRST SAVINGS OF  
ARKANSAS, F.A.,  
Plaintiff,

VS.

C.A. NO. H-92-1692

TEXAS MOLINE, LTD. and DEAN H.  
MADDOX, Jointly and Severally,

Judgment Debtor.

\*\*\*\*\*

REPORTER'S CERTIFICATE

FEBRUARY 10, 2011

DEAN H. MADDOX

I, Sandi LoCascio, Certified Shorthand  
Reporter in and for the State of Texas, do hereby  
certify that the facts as stated by me in the caption  
hereto are true; that the above and foregoing answers  
of the witness, DEAN H. MADDOX, to the interrogatories  
as indicated were made to me by the said witness after  
being first duly sworn/affirmed to testify to the  
truth, and same were reduced to printing under my  
direction; that the above and foregoing deposition as  
set forth in printing is a full, true and correct  
transcript of the proceedings had at the time of taking  
said deposition.

1 I further certify that I am neither attorney  
2 nor counsel for, nor related to or employed by any of  
3 the parties to the action in which this deposition is  
4 taken, and further that I am not a relative or employee  
5 of any attorney or counsel employed by the parties  
6 hereto, or financially interested in the action;

7 That the amount of time used by each party at  
8 the deposition is as follows:

9 Mr. Jeffery S. Lowenstein - 4:42  
10 Mr. Timothy J. Henderson - 0:00  
11 Mr. Steven D. Grossman - 0:00

12 GIVEN under my hand and seal of office on  
13 this the 22 day of February, 2011.

14  
15 Sandi LoCascio  
16 Sandi LoCascio  
17 Texas CSR No. 7101  
18 Expiration Date: 12-31-11  
19 AMY MASSEY & ASSOCIATES, INC.  
20 Firm No. 404  
21 6724 Kirk Lane  
22 Burleson, Texas 76028  
23 Phone: 817.447.6721  
24 Fax: 817.447.6491  
25



AO 451 (Rev. 01/09) Clerk's Certification of a Judgment to be Registered in Another District

UNITED STATES DISTRICT COURT

for the

2010 NOV 10 P 12:32-

Resolution Trust Corporation, As Receiver

*Plaintiff*

v.

Texas Moline, Ltd & Dean H. Maddox

*Defendant*

Civil Action No. H-92-cv-1692

CLERK'S CERTIFICATION OF A JUDGMENT TO BE REGISTERED IN ANOTHER DISTRICT

I certify that the attached judgment is a copy of a judgment entered by this court on (date) 11/19/1993.

I also certify that, as appears from this court's records, no motion listed in Fed. R. App. P. 4(a)(4)(A) is pending before this court and that no appeal has been filed or, if one was filed, that it is no longer pending.

Date: 11/03/2010

**DAVID J. BRADLEY**

CLERK OF COURT

*L. J. Moore*

-Signature of Clerk or Deputy Clerk-

2:10-ms-00112-NA

EXHIBIT

B

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

NOV 19 1993

Michael N. Milby, Clerk  
By Deputy: *[Signature]*

RESOLUTION TRUST CORPORATION AS  
RECEIVER OF FIRST SAVINGS OF  
ARKANSAS, F.A.,

Plaintiff,

VS.

C. A. NO. H-92-1692

TEXAS MOLINE, LTD. and DEAN H.  
MADDOX, Jointly and Severally,

Defendants.

FINAL JUDGMENT

In accordance with the Court's Order granting the Motion for Summary Judgment of Plaintiff RESOLUTION TRUST CORPORATION as Receiver of First Savings of Arkansas, F.A., the Court now enters Final Judgment. The Court is of the opinion that Final Judgment in favor of Plaintiff RESOLUTION TRUST CORPORATION as Receiver of First Savings of Arkansas, F.A. against Defendants, TEXAS MOLINE, LTD. and DEAN H. MADDOX, jointly and severally, should be entered as follows:

- (1) Judgment for this cause of action in the principal sum of \$2,945,218.00;
- (2) Judgment for pre-judgment interest at eight (8%) percent from April 2, 1991 to the date of judgment, for a per diem accrual of \$645.53 on the \$2,945,218.00 sum;
- (3) Judgment for post-judgment interest on all sums at the rate of 3.38 percent per annum from the date of judgment until paid;
- (4) Judgment for reasonable attorney's fees of \$4,000.00 and additional fees in the event of appeal; and
- (5) Judgment for all costs of Court.

It is accordingly,

TRUE COPY I CERTIFY  
ATTEST: NOV 03 2010  
DAVID J. BRADLEY, Clerk of Court  
By *[Signature]*  
Deputy Clerk

ORDERED, ADJUDGED AND DECREED, that RESOLUTION TRUST CORPORATION AS Receiver of First Savings of Arkansas, F.A. has and shall recover from Defendants TEXAS MOLINE, LTD. and DEAN H. MADDOX, jointly and severally, the total principal sum of \$2,945,218.00, along with pre-judgment interest at eight (8%) percent from April 2, 1991 to the date of judgment on the \$2,945,218.00 sum for a per diem accrual of \$645.53. Further, that Plaintiff recover reasonable attorney's fees in the amount of \$4,000.00; plus fees of \$5,000.00 in the event of an appeal to the United States Court of Appeals, \$3,000.00 if a writ of error is sought to the United States Supreme Court, and \$2,000.00 if a writ of error is granted; together with post-judgment interest on all said sums at the rate of 3.38 percent per annum and costs of court which are hereby taxed against the Defendants. RESOLUTION TRUST CORPORATION AS RECEIVER OF FIRST SAVINGS OF ARKANSAS, F.A. shall be entitled to all writs of execution necessary to enforce this judgment. All relief not expressly granted herein is denied.

This is a FINAL JUDGMENT.

SIGNED at Houston, Texas this 16th day of November, 1993.

  
UNITED STATES DISTRICT JUDGE

STATE OF NEVADA

ROSS MILLER  
Secretary of State



SCOTT W. ANDERSON  
Deputy Secretary  
for Commercial Recordings

OFFICE OF THE  
SECRETARY OF STATE

Certified Copy

April 25, 2011

**Job Number:** C20110421-1318  
**Reference Number:** 00003089927-98  
**Expedite:**  
**Through Date:**

The undersigned filing officer hereby certifies that the attached copies are true and exact copies of all requested statements and related subsequent documentation filed with the Secretary of State's Office, Commercial Recordings Division listed on the attached report.

Document Number(s)	Description	Number of Pages
20090722035-10	Articles of Organization	1 Pages/1 Copies
20100781881-26	Annual List	1 Pages/1 Copies



Respectfully,

A handwritten signature in black ink, appearing to read "Ross Miller".

ROSS MILLER  
Secretary of State

Certified By: Christine Rakow  
Certificate Number: C20110421-1318  
You may verify this certificate  
online at <http://www.nvsos.gov/>

Commercial Recording Division  
202 N. Carson Street  
Carson City, Nevada 89701-4069  
Telephone (775) 684-5708  
Fax (775) 684-7138





ROSS MILLER  
Secretary of State  
206 North Carson Street  
Carson City, Nevada 89701-4299  
(775) 684 5708  
Website: www.nvsos.gov

## Articles of Organization Limited-Liability Company

(PURSUANT TO NRS CHAPTER 86)

Filed in the office of  Ross Miller Secretary of State State of Nevada	Document Number <b>20090722035-10</b>
	Filing Date and Time <b>10/02/2009 8:30 AM</b>
	Entity Number <b>E0527632009-4</b>

USE BLACK INK ONLY - DO NOT HIGHLIGHT

ABOVE SPACE IS FOR OFFICE USE ONLY

<b>1. Name of Limited-Liability Company:</b> (must contain approved limited-liability company wording; see instructions)	Thirstbusters Property LLC			Check box if a Series Limited-Liability Company <input type="checkbox"/>
<b>2. Registered Agent for Service of Process:</b> (check only one box)	<input checked="" type="checkbox"/> Commercial Registered Agent: InCorp Services, Inc. <div style="text-align: center;">Name</div> <input type="checkbox"/> Noncommercial Registered Agent <span style="margin-left: 50px;">OR</span> <input type="checkbox"/> Office or Position with Entity <div style="text-align: center;">(name and address below)</div> <div style="text-align: center;">(name and address below)</div> Name of Noncommercial Registered Agent OR Name of Title of Office or Other Position with Entity <div style="text-align: right;">Nevada</div> Street Address <span style="margin-left: 150px;">City</span> <span style="margin-left: 100px;">Zip Code</span> <div style="text-align: right;">Nevada</div> Mailing Address (if different from street address) <span style="margin-left: 100px;">City</span> <span style="margin-left: 100px;">Zip Code</span>			
<b>3. Dissolution Date:</b> (optional)	Latest date upon which the company is to dissolve (if existence is not perpetual):			
<b>4. Management:</b> (required)	Company shall be managed by: <input checked="" type="checkbox"/> Manager(s) <span style="margin-left: 20px;">OR</span> <input type="checkbox"/> Member(s) <div style="text-align: center;">(check only one box)</div>			
<b>5. Name and Address of each Manager or Managing Member:</b> (attach additional page if more than 3)	1) Tiger Partners Management LLC <div style="text-align: center;">Name</div> 375 N. Stephanie St. · Suite 1411 <span style="margin-left: 50px;">Henderson</span> <span style="margin-left: 50px;">NV</span> <span style="margin-left: 50px;">89014-8909</span> <div style="text-align: center;">Street Address</div> <div style="text-align: center;">City</div> <div style="text-align: center;">State</div> <div style="text-align: center;">Zip Code</div> 2) <div style="text-align: center;">Name</div> <div style="text-align: center;">Street Address</div> <div style="text-align: center;">City</div> <div style="text-align: center;">State</div> <div style="text-align: center;">Zip Code</div> 3) <div style="text-align: center;">Name</div> <div style="text-align: center;">Street Address</div> <div style="text-align: center;">City</div> <div style="text-align: center;">State</div> <div style="text-align: center;">Zip Code</div>			
<b>6. Name, Address and Signature of Organizer:</b> (attach additional page if more than 1 organizer)	Doug Ansell on behalf of InCorp Services, Inc. <input checked="" type="checkbox"/> <div style="text-align: center;">Name</div> <div style="text-align: center;">Organizer Signature</div> 375 N. Stephanie St. · Suite 1411 <span style="margin-left: 50px;">Henderson</span> <span style="margin-left: 50px;">NV</span> <span style="margin-left: 50px;">89014-8909</span> <div style="text-align: center;">Address</div> <div style="text-align: center;">City</div> <div style="text-align: center;">State</div> <div style="text-align: center;">Zip Code</div>			
<b>7. Certificate of Acceptance of Appointment of Registered Agent:</b>	I hereby accept appointment as Registered Agent for the above named Entity. <input checked="" type="checkbox"/> <div style="text-align: center;">Authorized Signature of Registered Agent or On Behalf of Registered Agent Entity</div> <div style="text-align: right;">Sep 21, 2009 Date</div>			

This form must be accompanied by appropriate fees.

Nevada Secretary of State NRS 86 LLC Articles  
Revised on 7-1-08



ANNUAL LIST OF MANAGERS OR MANAGING MEMBERS AND REGISTERED AGENT AND  
STATE BUSINESS LICENSE APPLICATION OF:

THIRSTBUSTERS PROPERTY LLC

FILE NUMBER

E0527632009-4

NAME OF LIMITED-LIABILITY COMPANY

FOR THE FILING PERIOD OF 10/2010 TO 10/2011

**\*\*YOU MAY FILE THIS FORM ONLINE AT [www.nvsos.gov](http://www.nvsos.gov)\*\***

The entity's duly appointed registered agent in the State of Nevada upon whom process can be served is:



\*110401\*

INCORP SERVICES, INC. (Commercial Registered Agent)  
2360 CORPORATE CIRCLE STE 400  
HENDERSON, NV 89074-7722 USA

Filed in the office of  Ross Miller Secretary of State State of Nevada	Document Number <b>20100781881-26</b>
	Filing Date and Time <b>10/18/2010 4:04 PM</b>
	Entity Number <b>E0527632009-4</b>

A FORM TO CHANGE REGISTERED AGENT INFORMATION IS FOUND AT: [www.nvsos.gov](http://www.nvsos.gov)

USE BLACK INK ONLY - DO NOT HIGHLIGHT

(This document was filed electronically.)  
ABOVE SPACE IS FOR OFFICE USE ONLY☐ Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)**IMPORTANT:** Read instructions before completing and returning this form.

1. Print or type names and addresses, either residence or business, for all manager or managing members. A Manager, or if none, a Managing Member of the LLC must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**
2. If there are additional managers or managing members, attach a list of them to this form.
3. Annual list fee is \$125.00. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
4. State business license fee is \$200.00. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.
5. Make your check payable to the Secretary of State.
6. **Ordering Copies:** If requested above, one file stamped copy will be returned at no additional charge. To receive a certified copy, enclose an additional \$30.00 per certification. A copy fee of \$2.00 per page is required for each additional copy generated when ordering 2 or more file stamped or certified copies. Appropriate instructions must accompany your order.
7. Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, Nevada 89701-4201, (775) 684-5708.
8. Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties. Failure to include annual list and business license fees will result in rejection of filing.

ANNUAL LIST FILING FEE: \$125.00

LATE PENALTY: \$75.00

BUSINESS LICENSE FEE: \$200.00

LATE PENALTY: \$100.00

## Complete only if applicable

☐ Pursuant to NRS, this corporation is exempt from the business license fee. Exemption code: ☐ Month and year your State Business License expires:  20 

## Section 7(2) Exemption Codes

- 001 - Governmental Entity
- 002 - 501(c) Nonprofit Entity
- 003 - Home-based Business
- 004 - Natural Person with 4 or less rental dwelling units
- 005 - Motion Picture Company
- 006 - NRS 680B.020 Insurance Co.

NAME Tiger Partners Management LLC		(DOCUMENT WILL BE REJECTED IF TITLE NOT INDICATED)	
		<input checked="" type="checkbox"/> MANAGER	<input type="checkbox"/> MANAGING MEMBER
ADDRESS 2360 Corporate Circle - Suite 400 , USA	CITY Henderson	STATE NV	ZIP CODE 89074-7722
NAME		(DOCUMENT WILL BE REJECTED IF TITLE NOT INDICATED)	
		<input type="checkbox"/> MANAGER	<input type="checkbox"/> MANAGING MEMBER
ADDRESS	CITY	STATE	ZIP CODE
NAME		(DOCUMENT WILL BE REJECTED IF TITLE NOT INDICATED)	
		<input type="checkbox"/> MANAGER	<input type="checkbox"/> MANAGING MEMBER
ADDRESS	CITY	STATE	ZIP CODE
NAME		(DOCUMENT WILL BE REJECTED IF TITLE NOT INDICATED)	
		<input type="checkbox"/> MANAGER	<input type="checkbox"/> MANAGING MEMBER
ADDRESS	CITY	STATE	ZIP CODE

I declare, to the best of my knowledge under penalty of perjury, that the above mentioned entity has complied with the provisions of sections 6 to 18 of AB 146 of the 2009 session of the Nevada Legislature and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

X Dean H Maddox

Title: Manager Date: 10/18/2010 4:04:43 PM

Signature of Manager or Managing Member

Nevada Secretary of State Annual List ManorMem  
Revised: 8-5-09